

Regulatory Text

Option 1.

Subsection (e) and (f) of Section 122, Title 14, CCR are amended as follows:

(e) Number of Permits:

(1) The holder of a valid, unrevoked lobster operator permit from the immediately preceding permit year shall be eligible to purchase a lobster operator permit regardless of the number issued.

~~(2) If the number of lobster operator permits issued pursuant to paragraph (1) is more than 225, the number of new lobster operator permits available for issuance shall be one tenth the difference between the total number of lobster operator permits issued prior to July 1 of the current license year and the total number of lobster operator permits issued in the immediately preceding license year. If the number of lobster operator permits issued pursuant to paragraph (1) is less than 225, the number of new lobster operator permits available for issuance shall be the difference between the number of lobster operator permits issued and 225.~~

(f) Procedures and Deadline for Permit Renewal.

(1) Applications for renewal of lobster operator permits must be received by the Department or if mailed, postmarked not later than May 31 of each year. Applications presented or postmarked after May 31 and before July 1 will be assessed a \$50 late fee. Applications postmarked or presented after June 30 will not be considered.

~~(2) If any new lobster operator permits are available for issuance as provided in subsection (e)(2), they shall be issued to licensed commercial fishermen who:~~

~~(A) have held a valid, unrevoked lobster crewmember permit in the two immediately preceding license years;~~

~~(B) have held a valid, unrevoked lobster permit in any two of the immediately preceding six permit years.~~

~~(3) Applications for new lobster operator permits must be received by the Department or if mailed, postmarked not later than July 31 of each year, and any application presented or postmarked after this date will not be considered. If there are more applicants for lobster operator permits than there are permits available, a drawing will be held to determine which applicants will be eligible to purchase a permit. Any person who submits more than one application for a new lobster operator permit in any one permit year will be excluded from the drawing. The drawing will be held on the Wednesday nearest to September 9 each year. The selected applicants will have until October 31 to purchase their lobster operator permits.~~

Option 2.

Subsection (e)(2) of Section 122, Title 14, CCR is amended to read:

(e) Number of Permits:

(1) The holder of a valid, unrevoked lobster operator permit from the immediately preceding permit year shall be eligible to purchase a lobster operator permit regardless of the number issued.

(2) If the number of lobster operator permits issued pursuant to paragraph (1) is more than 225, the number of new lobster operator permits available for issuance shall be one-tenth the difference between the total number of lobster operator permits issued prior to July 1 of the current license year and the total number of lobster operator permits issued in the immediately preceding license year. If the number of lobster operator permits issued pursuant to paragraph (1) is less than 225, the number of new lobster operator permits available for issuance shall be the difference between the number of lobster operator permits issued and 225. This subsection shall be inoperative from April 1, 2003 through March 31, 2005.

Authority: Sections 8254 and 8259, Fish and Game Code.

Reference: Sections 2365, 7852.2, 8250-8259 and 9000-9006 and 9010, Fish and Game Code.